THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.24339 of 2006

DATED 22.11.2006

Between:

Smt. Niyaz Fathima and four others. .. PETITIONERS

versus

Kakatiya Urban Development Authority,
represented by its Vice Chairman, Warangal
District and another. .. RESPONDENTS

WRIT PETITION NO.24339 of 2006

ORDER:

The matter is coming up for admission today. Sri Narendra takes notice on behalf of respondent No.1 and Sri Durga Nageswara Rao takes notice on behalf of 2nd respondent.

2. The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondents in demolishing the malgi bearing Nos.6-6-45, 6-6-46, 6-6-50, 6-6-51, 6-6-52, 6-6-47, 6-6-54, 97 square yards and H.No.6-6-56, situated at Zahoor Manzil, Raipura, Hanamkonda main Road, Warangal District without following the due process of law as arbitrary, illegal and violative of fundamental rights guaranteed under Constitution of India and consequently direct the respondents to follow due process of law and pass such other suitable orders.

3. Several factual details are narrated in paragraphs 2 to 4 in the affidavit filed in support of the Writ Petition and the main grievance of the petitioners is that without following due process of law, the respondents are threatening to carry on the demolition

activity in relation to the subject matter of the Writ Petition.

4. It is needless to say that the respondents are bound to follow due process of law before proceeding with any demolition activity.

5. In view of the same, the Writ Petition is disposed of directing the respondents not to resort to any demolition activity in relation to the subject matter of the Writ Petition unless and until due process of law is followed. No costs.

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22.11.2006

SSR
Issue operative portion of the order
by wire at party's costs.

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